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10 **Attorneys for Defendant NEC**
11 **ELECTRONICS AMERICA, INC.**

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 **DR. STEVEN MARTEL, on behalf of himself**
15 **and all other similarly situated,**

16 **Plaintiff,**

17 **v.**

18 **SHARP CORPORATION, et al.,**

19 **Defendants.**

20 **Case No.: 06-cv-7888 EDL**

21 **STIPULATION AND ~~PROPOSED~~**
22 **ORDER FOR EXTENSION OF TIME**

23 **Honorable Elizabeth D. Laporte**

STIPULATION FOR EXTENSION OF TIME

WHEREAS plaintiff filed a complaint in the above-captioned case on or about December 26, 2006;

WHEREAS plaintiff alleges antitrust violations by manufacturers of Liquid Crystal Display ("LCD") products;

WHEREAS more than fifteen complaints have been filed to date in federal district courts throughout the United States by plaintiffs purporting to bringing class actions on behalf of indirect purchasers alleging antitrust violations by manufacturers of LCD products (collectively, "the LCD Cases");

WHEREAS there is a motion pending before the Judicial Panel on Multidistrict Litigation to transfer the LCD Cases to the Northern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407;

WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints in the LCD Cases;

WHEREAS plaintiff and NEC Electronics America, Inc. ("NECELAM") have agreed that an orderly schedule for any response to the pleadings in the LCD Cases would be more efficient for the parties and for the Court;

WHEREAS plaintiff agrees that the deadline for NECELAM to respond to the Complaint shall be extended until the earlier of the following two dates: (1) forty-five days after the filing of a Consolidated Amended Complaint in the LCD Cases; or (2) forty-five days after plaintiff provided written notice to NECELAM that plaintiff does not intend to file a Consolidated Amended Complaint, provided that such notice may be given only after the initial case management conference in the MDL transferee court in this case;

WHEREAS plaintiff further agrees that this extension is available, without further stipulation with counsel for plaintiff, to all named defendants who notify plaintiff in writing of their intention to join this extension;

WHEREAS this Stipulation does not constitute a waiver by NECELAM or any defendant of any defense, including but not limited to the defenses of lack of personal or subject matter

jurisdiction, insufficiency of process, insufficiency of service of process, or improper venue.

PLAINTIFF AND DEFENDANT NECELAM, BY AND THROUGH THEIR
RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

1. The deadline for NECELAM to respond to the Complaint shall be extended until the earlier of the following two dates (1) forty-five days after the filing of a Consolidated Amended Complaint in the LCD Cases; or (2) forty-five days after the plaintiff provides written notice that he does not intend to file a Consolidated Amended Complaint, provided that such notice may be given only after the initial case management conference in the MDL transferee court in this case.

2. This extension is available, without further stipulation with counsel for plaintiff or further order of the Court, to all named defendants who notify plaintiff in writing of their intention to join this extension.

IT IS SO STIPULATED.

DUANE MORRIS LLP

Attorneys for NEC Electronics America, Inc.

Dated: January 17, 2007

By:

George D. Niespolo
George D. Niespolo
Stephen H. Sutro

SHUBERT & REED LLP

Attorneys for Plaintiff Dr. Steven Martel

Dated: January 17, 2007

By:

Robert C. Shubert
Robert C. Shubert
Willem F. Jonckheer
Peter E. Borkon

Dated: January 19, 2007

SO ORDERED:

